

Vance D. Day, OSB #912487
Vance.day@teamvanceday.org
Law Offices of Vance D. Day
PO Box 220
Powell Butte, OR 97753
Telephone: (503) 409-5562

Elizabeth A. Jones, OSB #201184
beth@capitol.legal
Capitol Legal Services
901 Capitol St. NE
Salem, OR 97301
Telephone: (503) 480-7250
Fax: (503) 779-2716
Attorneys for Plaintiff Brian J. Boquist

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION

BRIAN J. BOQUIST,

Case No. 6:19-cv-01163-MC

Plaintiff,

v.

**PLAINTIFF'S MOTION FOR AWARD
OF ATTORNEY'S FEES**

OREGON STATE SENATE PRESIDENT
PETER COURTNEY, in his individual and
official capacity; SENATOR FLOYD
PROZANSKI, in his individual and official
capacity as Chairman of the Senate Special
Committee on Conduct, SENATOR JAMES
MANNING, in his individual and official
capacity as member of the Special Senate
Conduct Committee,

FRCP 54(d)(2)

Defendants.

Plaintiff respectfully moves for an order awarding him \$419,154.80 in reasonable attorney fees, as the prevailing party within the meaning of 42 U.S.C. §1988, and pursuant to the Judgment

entered on July 17, 2023 (ECF No. 81). Plaintiff will submit a revised request for additional time and any costs incurred after the filing of this motion, including for preparation of the Reply.

Plaintiff made a good faith effort to resolve this dispute regarding the amount to be paid by Defendants to Plaintiff for fees and costs before filing this motion. The parties were unable to resolve this dispute. Local Rule 7.1(a); (Day Decl. ¶ 46).

This motion is supported by the following pleadings and declarations filed herewith: Plaintiff's Memorandum in Support of Motion for Award of Fees and Costs; the declarations of plaintiff's counsel, Vance D. Day and Elizabeth A. Jones, The OSB 2022 Economic Survey, and the declaration of attorney Michael McLane.

WHEREFORE, Plaintiff asks that the Court grant this motion and order Defendants to pay Plaintiff's reasonable attorney fees in the amounts stated above.

Dated this 31st day of July, 2023.

s/ Vance D. Day
Vance D. Day, OSB #912487
Elizabeth A. Jones, OSB #201184
Of Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing PLAINTIFF'S MOTION FOR AWARD OF ATTORNEY'S FEES on:

Tracy Ickes White
Marc Abrams
Oregon Department of Justice
100 SW Market Street
Portland, OR 97201
Attorneys for Defendants

by the following indicated method or methods:



by **electronic means through the Court's Case Management/Electronic Case File system** on the date set forth below;

by **emailing** a copy thereof to each attorney at each attorney's last-known email address on the date set forth below;

by **mailing** a full, true, and correct copy thereof in a sealed, first-class postage-prepaid envelope, addressed to plaintiff's last-known address listed above and depositing it in the U.S. mail at Salem, Oregon on the date set forth below.

DATED this 31st day of July, 2023.

s/ Vance D. Day

Vance D. Day, OSB #912487
Elizabeth A. Jones, OSB #201184
Of Attorneys for Plaintiff

CERTIFICATE OF SERVICE